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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13  
14 UNITED STATES OF AMERICA, ) CR No.3-12-71212

15 Plaintiff, )

16 v. )

17 GRACIELA QUINONEZ RIVERA, )

18 Defendant. )

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20 STIPULATION AND [PROPOSED]  
21 ORDER CHANGING HEARING DATE  
22 AND EXCLUDING TIME

23 The Court has set November 27, 2012, as the date for a preliminary hearing or  
24 arraignment. The parties hereby stipulate to set the preliminary hearing or arraignment date on  
25 November 30, 2012, and they request that the Court extend the time limits provided by Federal  
26 Rule of Criminal Procedure 5.1(c) and 18 U.S.C. § 3161. This extension of time is necessary for  
27 the parties to explore possible pre-indictment resolution and for effective preparation of counsel.

28 Pursuant to Rule 5.1(d), the defendant and the government consent to the extension of  
time, and the parties represent that good cause exists for this extension, including the effective  
preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). For the same reasons, the parties  
also request that the Court exclude from the time limits of 18 U.S.C. § 3161 the period from the

1 date of this Order through November 30, 2012. The parties also agree that the ends of justice  
2 served by granting such an exclusion of time outweigh the best interests of the public and the  
3 defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

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5 SO STIPULATED:

6 MELINDA HAAG  
United States Attorney

7 DATED: November 16, 2012

8 \_\_\_\_\_/s/  
KATIE BURROUGHS MEDEARIS  
9 Assistant United States Attorney

10 DATED: November 19, 2012

11 \_\_\_\_\_/s/  
RANDY SUE POLLOCK  
12 Attorney for GRACIELA QUINONEZ RIVERA

13 [PROPOSED] ORDER

14 For the reasons stated above, the Court sets November 30, 2012, as the date for the  
15 arraignment or preliminary hearing. The Court finds that extension of time limits applicable  
16 under Federal Rule of Criminal Procedure 5.1(c) from the date of this Order through November  
17 30, 2012, is warranted; that exclusion of this period from the time limits applicable under 18  
18 U.S.C. § 3161 is warranted; that the ends of justice served by the continuance outweigh the  
19 interests of the public and the defendant in the prompt disposition of this criminal case; and that  
20 the failure to grant the requested exclusion of time would deny counsel for the defendant and for  
21 the government the reasonable time necessary for effective preparation of counsel, taking into  
22 account the exercise of due diligence, and would result in a miscarriage of justice. 18 U.S.C.  
23 §3161(h)(7)(B)(iv).

24 IT IS SO ORDERED.

25 DATED: November 20, 2012

26 \_\_\_\_\_  
27 HON. JACQUELINE SCOTT CORLEY  
28 United States Magistrate Judge